

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KAMALIHA BREWSTER and JOHN W.) 2:06-cv-00529-PMP-GWF
WILHELM,)
Plaintiffs,)
vs.)
PFIZER, INC., *et al.*,)
Defendant.)

This action was originally filed on April 28, 2006 on behalf of several individual Plaintiffs, including John W. Wilhelm, against Defendants Pfizer, Inc. and Warner-Lambert Company, LLC. On June 2, 2006, this action was transferred by the United States Judicial Panel on Multidistrict Litigation to the District of Massachusetts. Seven years later, the action was remanded from the MDL Transferee Court in the District of Massachusetts to this Court.

Since its return to the District of Nevada, the case has been resolved as to all Plaintiffs except Plaintiff John Wilhelm. Currently before the Court for consideration is Defendants' Motion for Summary Judgment against Plaintiff John Wilhelm (Doc. #46) filed February 28, 2014. Unfortunately, Plaintiff Wilhelm has encountered great difficulty in obtaining counsel to represent him, and thus far has failed to file a response to Defendants' Motion for Summary Judgment.

Currently before the Court are two Letter Motions filed by Plaintiff John Wilhelm on May 19, 2014, (Doc. #70 & #71). By these Letter Motions, Plaintiff Wilhelm

1 seeks an extension of between one and two months to respond to a Proposed Stipulated
2 Discovery Plan and Scheduling Order, and an additional two to three months to respond to
3 Defendants' Motion for Summary Judgment. The Court recognizes that any plaintiff
4 attempting to represent himself *pro se* faces great difficulty in dealing with the Rules of
5 Practice applicable in United States District Court. Nonetheless, any plaintiff seeking to
6 prosecute a civil action *pro se* must comply with all applicable rules and procedures. The
7 Court finds that Plaintiff Wilhelm has had ample time to secure counsel to represent him in
8 this case. If he cannot obtain counsel, he will have to participate in the discovery process,
9 and respond to Defendants' Motion for Summary Judgment, *pro se*. The Court will grant
10 Plaintiff Wilhelm's Letter Motions (Doc. #70 & #71) as follows:

11 **IT IS ORDERED** that Plaintiff Wilhelm's proper person Letter Motions for
12 Extensions of Time to File a Stipulated Discovery Plan and Scheduling Order (Doc. #70),
13 and to Respond to Defendants' Motion for Summary Judgment (Doc. #71) are granted to
14 the extent that Plaintiff Wilhelm shall file his Responses not later than **July 17, 2014**.

15 **IT IS FURTHER ORDERED** that in the event Plaintiff Wilhelm fails to file a
16 Response to Defendants' Motion for Summary Judgment as provided herein, the Court will
17 deem his failure to do so as consent to the granting of the relief requested by Defendants.

18 DATED: June 20, 2014.

Chip M. Orr

PHILIP M. PRO
United States District Judge